

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ALEXIS ALLEN, et al.,	:	
	:	
Plaintiffs,	:	20-cv-2859 (JGK) (OTW)
	:	
-against-	:	<u>ORDER</u>
	:	
KRUCIAL STAFFING, LLC, et al.,	:	
	:	
Defendants.	:	
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ONA T. WANG, United States Magistrate Judge:

The Court has reviewed the parties’ submissions filed at ECF 91, 92, 93, and 95. The Court partially resolves Plaintiffs’ motion compel (ECF 91) as follows:

- **Request 7 is GRANTED IN PART.** Defendants must produce March and April 2020 communications with media outlets responding to inquiries related to Krucial’s New York deployment. Custodians are limited to the employee(s) whose “fulltime job was to respond to media inquiries in this timeframe” and the independent contractor “hired . . . to assist with media responses.” (ECF 92-2 at 2).
- **Request 9 is GRANTED IN PART.** Defendants must produce all documents and communications responsive to 9(c) and 9(e).
- **Request 11 is GRANTED IN PART.** Defendants must produce all emails between Steven Cooper and Krucial management or employees related to Mr. Cooper’s role in monitoring social media and “group chats,” as defined by the request.
- **Request 14 is DENIED** as overbroad and duplicative of Request 11.

- **Requests 28 and 29** are **GRANTED**. The parties are directed to meet and confer regarding search terms and custodians.
- **Requests 37, 38, and 39** are **DENIED** as not relevant or proportional.
- **Requests 5 and 30** are **DENIED AS MOOT** because Defendants are not withholding documents based on their objections. (ECF 89-2 at 3,9).

The Court will consider **Requests 19 and 43** at the status conference scheduled for this afternoon, **March 2, 2021**. For the first 15 minutes of the conference, the parties will be moved to a private breakout session to meet and confer to limit the scope of these requests before the Court joins the conference. **Requests 19 and 43** are the only requests that will be substantively addressed at today's status conference. Counsel are reminded that their failure to cooperate in discovery and/or their filing of discovery motions that are not "substantially justified" may result in the Court apportioning reasonable expenses, including attorney's fees, under Fed. R. Civ. P. 37(a)(5)((A)-(C)).

SO ORDERED.

Dated: March 2, 2021
New York, New York

s/ Ona T. Wang

Ona T. Wang
United States Magistrate Judge